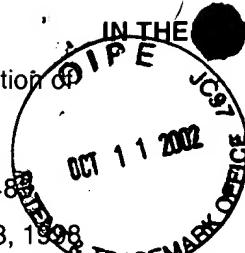


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HEROUX et al.

Serial No. 09/023,483



Atty Dkt. 2528-2

C# M#

Group Art Unit: 1637

Examiner: J. Tung

Filed: February 13, 1998

Date: October 11, 2002

Title: ASSAY METHODS FOR NUCLEIC ACID IN A SAMPLE

Assistant Commissioner for Patents

Washington, DC 20231

A E/1000

**RESPONSE UNDER RULE 116
EXPEDITED HANDLING
PROCEDURES**

Corres. and Mail

BOX AF

Sir:

AFTER-FINAL AMENDMENT UNDER 37 CFR §1.116

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment **61** minus highest number previously paid for **40** (at least 20) = **21** x \$ 18.00

Independent claims after amendment **19** minus highest number previously paid for **14** (at least 3) = **5** x \$ 84.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months)

Terminal disclaimer enclosed, add \$ 110.00

First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00)
 Please enter the previously unentered , filed
 Submission attached

RECEIVED

OCT 17 2002 \$ 378.00

TECH CENTER 1600/2900 \$ 420.00

\$ 0.00

\$ 0.00

\$ 0.00

Subtotal \$ 798.00

If "small entity," then enter half (1/2) of subtotal and subtract
 Applicant claims "small entity" status. Statement filed herewith

-\$ 399.00

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)

\$ 0.00

Assignment Recording Fee (\$40.00)

\$ 0.00

Other:

0.00

TOTAL FEE ENCLOSED \$ 399.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
 By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: 